

APPENDIX V

**Crime Victims Board
Reimbursement For Services
Provided to Victims of Sexual Assault**

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Introduction

New legislation signed into law in 2003 will provide for direct reimbursement by the Crime Victims Board (CVB) to providers of forensic health care examination services. This reimbursement will ensure that sexual assault survivors are not billed for any forensic health care examination services. The reimbursement fee will cover the examiner's services, related facilities' costs, and basic laboratory tests and pharmaceuticals. The fee will be \$800, and this fee will be reviewed and, may, if appropriate, adjusted annually by CVB and the Department of Health. The statute becomes effective as of April 1, 2005. More information about this new forensic reimbursement will be issued prior to the effective date.

Follow-up HIV post-exposure prophylaxis costs and the costs of any other long-term pharmaceuticals will continue to be reimbursed according to previously established CVB procedure.

Survivors may also voluntarily assign private insurance benefits to cover the forensic exam in which case the hospital or health care institution may not bill the CVB.

CVB reimbursement for sexual assault survivors until March 31, 2005

Eligible sexual assault victims may obtain compensation in one of two ways, depending on their needs. Individuals in need of more information may contact an office of the CVB at the following telephone numbers:

- Albany (518) 457-8727
- Buffalo (716) 847-7992
- Brooklyn (718) 923-4325.

Victims may also contact a Rape Crisis Center or Victims Services Agency in their county or region. A list of the Rape Crisis Services by county is in Appendix M of this *Protocol*. Many have 24-hour hotlines. These programs may be able to assist individuals in filing claims with CVB, particularly when emergency assistance is needed. These agencies can often provide immediate assistance to victims. CVB also has a resource directory available on its website (www.cvb.state.ny.us) which includes a listing of victim service programs in different areas of the state.

Standard Reimbursement Method

Some sexual assault victims may be able to pay for medication at the time of treatment. These individuals should use the standard procedure for filing a claim with the CVB to receive compensation for unreimbursed medical expenses (see above information regarding filing a CVB claim).

Emergency Reimbursement Method

Victims who suffer undue hardship as a result of expenses resulting from the sexual assault, including medical expenses, are eligible to apply for a CVB emergency award. The amount of each emergency award cannot exceed \$500, and there is a maximum total of emergency awards of \$1,500. The total amount of the emergency awards will be deducted from any final award made to the claimant. The CVB has also developed special procedures to ensure the availability of post-exposure prophylactic HIV treatment for sexual assault victims. CVB will contact the prescription provider to attempt to facilitate availability of needed drugs, if requested to do so, and will directly reimburse pharmacy providers.

The Board prior to the issuing of an emergency award must receive a claim, including a completed and signed affidavit. The Board funds programs in every county of the state which can help with the processing of claims and which can forward the claims by fax to the main office of the Board for immediate consideration for an emergency award.

Emergency award checks are issued only in the CVB offices in Albany, New York City, and Buffalo. Arrangements can be made for checks to be forwarded to the local crime victim service programs, but such forwarding will add to the time required to get a check to the claimant.

Reimbursement for HIV Prophylaxis

Various reimbursement methods may be available for prophylaxis, including Medicaid, Medicare, Crime Victims Compensation, or third-party reimbursement, if the individual has prescription drug coverage. In cases where the facility does not receive reimbursement for these services, such expenses shall be included in their annual Institutional Cost Report as part of indigent care costs.